

**HinckleyAllenSnyderLLP**  
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March 31, 2006

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450Re: Deposit Account Refunds: U.S. Pat. App. Ser. No. 10/625,789  
U.S. Pat. App. Ser. No. 10/842,330**REQUEST FOR REFUNDS OF OVERCHARGES TO DEPOSIT ACCOUNT NO. 502834**

Dear Sir/Madam:

An audit of the activity for the above-referenced Deposit Account has revealed the following discrepancies:

(1) On August 1, 2005, an Amendment was filed in U.S. Pat. App. Ser. No. 10/625,789. Extra claims fees of \$100 were due for two new dependent claims, as shown on the attached copy of the Patent Application Fee Determination Record created by the USPTO. On August 2, 2005, our Deposit Account No. 502834 was charged \$100.00 for these extra claims (reference posting 10625789, as shown on the enclosed Deposit Account Statement for August 2005). On August 5, 2005, three days later, the Deposit Account was again charged for the same fee, with the same posting reference number, as is also shown on the enclosed Deposit Account Statement. It is therefore respectfully requested that the overcharge in the amount of \$100.00 be immediately credited to Deposit Account Number 502834.

(2) On December 14, 2004, a Response to a Notice to File Missing Parts was filed in U.S. Pat. App. Ser. No. 10/842,330, with a three month extension of time. On December 21, 2004, our Deposit Account No. 502834 was charged \$1020.00 for the three-month extension of time fee (reference posting 10842330, as shown on the enclosed Deposit Account Statement for December 2004). A Notice of Incomplete Reply was received, to which a response was filed on January 13, 2005, with a four month extension of time. On January 21, 2005, our Deposit Account No. 502834 was charged \$1590.00 for the four-month extension of time fee (also reference posting 10842330, as shown on the enclosed Deposit Account Statement for January 2005). The required refund of the originally paid three-month fee was never credited to the account. It is therefore respectfully requested that the overcharge in the amount of \$1020.00 be immediately credited to Deposit Account Number 502834.

Please refund the above-discussed amounts as soon as possible. If further information is required please contact Rose Young at (603) 225-4334. Thank you for your prompt attention to these matters.

Yours very truly,



Norma E. Henderson

Enclosures

28 State Street, Boston, MA 02109-1775 TEL: 617.345.9000 FAX: 617.343.9020  
1500 Fleet Center, Providence, RI 02903-2393 TEL: 401.274.2000 FAX: 401.277.9600

(1) USSN: 10/625,789



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**Deposit Account Statement**

**Requested Statement Month:** August 2005  
**Deposit Account Number:** 502834  
**Name:** HINCKLEY ALLEN & SNYDER LLP  
**Attention:** ROSE YOUNG  
**Address:** 43 NORTH MAIN STREET  
**City:** CONCORD  
**State:** NH  
**Zip:** 03301  
**Country:** UNITED STATES OF AMERICA

|                                    | DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE         | AMT            | BAL        |
|------------------------------------|-------|-----|--------------------|---------------------------|---------------------|----------------|------------|
|                                    | 08/02 | 58  | 10625789           | MLB-105(6992/103)         | 1202                | \$100.00       | \$5,097.00 |
|                                    | 08/05 | 10  | 10625789           | MLB-105(6992/103)         | 1202                | \$100.00       | \$4,997.00 |
|                                    | 08/08 | 5   | 60676910           | 11402T                    | 1251                | \$120.00       | \$4,877.00 |
| Duplicate<br>Charges               | 08/09 | 208 | E-REPLENISHMENT    |                           | 9203                | -\$100.00      | \$4,977.00 |
|                                    | 08/10 | 18  | 10201333           | MLB-094 (699)             | 1254                | \$1,590.00     | \$3,387.00 |
| Correct fee<br>is \$100            | 08/11 | 3   | 60676910           | 11402T                    | 1085                | \$250.00       | \$3,137.00 |
| as per<br>att'd cd                 | 08/11 | 4   | E-REPLENISHMENT    |                           | 9203                | -\$1,215.00    | \$4,352.00 |
| Pto fee<br>determination<br>record | 08/11 | 5   | E-REPLENISHMENT    |                           | 9203                | -\$1,590.00    | \$5,942.00 |
|                                    | 08/12 | 15  | PCT/US05/24550     | 058676/0125867-PCT        | 1703                | \$52.00        | \$5,890.00 |
|                                    | 08/12 | 30  | E-REPLENISHMENT    |                           | 9203                | -\$370.00      | \$6,260.00 |
|                                    | 08/15 | 14  | 5655324            | 007639/122109/1DIV/CIP    | 2552                | \$1,150.00     | \$5,110.00 |
|                                    | 08/15 | 15  | 5655324            | 007639/122109/1DIV/CIP    | 2555                | \$65.00        | \$5,045.00 |
|                                    | 08/17 | 4   | PCT/US05/24550     | 058676/0125867-PCT        | 1802                | -\$1,000.00    | \$6,045.00 |
|                                    | 08/17 | 5   | PCT/US05/24550     | 058676/0125867-PCT        | 1803                | \$300.00       | \$5,745.00 |
|                                    | 08/18 | 20  | 60708741           | 057317/0125292PROV        | 2005                | \$100.00       | \$5,645.00 |
|                                    | 08/23 | 139 | E-REPLENISHMENT    |                           | 9203                | -\$100.00      | \$5,745.00 |
|                                    | 08/28 | 23  | 09905831           |                           | 8021                | \$40.00        | \$5,705.00 |
|                                    | 08/26 | 36  | 09905831           |                           | 8021                | \$40.00        | \$5,665.00 |
|                                    | 08/31 | 181 | E-REPLENISHMENT    |                           | 9203                | -\$3,051.00    | \$8,716.00 |
|                                    |       |     | START<br>BALANCE   | SUM OF<br>CHARGES         | SUM OF<br>REPLENISH | END<br>BALANCE |            |
|                                    |       |     | \$5,197.00         | \$3,907.00                | \$7,426.00          | \$8,716.00     |            |

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3/6

PTO/SB06 (12-04)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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| PATENT APPLICATION FEE DETERMINATION RECORD                               |  |  |                             |                         | Application or PTO Number<br><b>70-025789</b> |                         |                                   |
|---|--|--|-----------------------------|-------------------------|---|-------------------------|-----------------------------------|
| APPLICATION AS FILED - PART I   |  |  |                             |                         | SMALL ENTITY OR OTHER THAN SMALL ENTITY       |                         |                                   |
| FOR   | NUMBER FILED<br>(Column 1)   | NUMBER EXTRA<br>(Column 2)                       | RATE (\$)<br>(Column 3)     | FEE (\$)<br>(Column 4)  | RATE (\$)<br>(Column 5)                       | FEE (\$)<br>(Column 6)  |                                   |
| BASIC FEE<br>(37 CFR 1.100(a), (b), or (c))                               |  |  |                             |                         |   |                         |                                   |
| SEARCH FEE<br>(37 CFR 1.100(a), (b), or (c))                              |  |  |                             |                         |   |                         |                                   |
| EXAMINATION FEE<br>(37 CFR 1.100(a), (b), or (c))                         |  |  |                             |                         |   |                         |                                   |
| TOTAL CLAIMS<br>(37 CFR 1.100(a))   | 48   | minus 20 =                                       | X                           |                         | X   |                         |                                   |
| INDEPENDENT CLAIMS<br>(37 CFR 1.100(a))                                   | 4  | minus 3 =  | X                           |                         | X   |                         |                                   |
| APPLICATION SIZE FEE<br>(37 CFR 1.100(a))                                 | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.100(a). |  |                             |                         |   |                         |                                   |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.100(a))                        |  |  |                             |                         |   |                         |                                   |
| * If the difference in column 1 is less than zero, enter "0" in column 2. |  |  | TOTAL                       |                         | TOTAL   |                         |                                   |
| APPLICATION AS AMENDED - PART II  |  |  |                             |                         |   |                         |                                   |
| AMENDMENT<br><b>7-105</b>   | CLAIMS REMAINING AFTER AMENDMENT<br>(Column 1)   | HIGHEST NUMBER PREVIOUSLY PAID FOR<br>(Column 2) | PRESENT EXTRA<br>(Column 3) | RATE (\$)<br>(Column 4) | ADDITIONAL FEE (\$)<br>(Column 5)             | RATE (\$)<br>(Column 6) | ADDITIONAL FEE (\$)<br>(Column 7) |
|   | Total (37 CFR 1.100(a))  | 50   | Minus                       | 48                      | 2   | 50                      | 100                               |
|   | Independent (37 CFR 1.100(a))  | 3  | Minus                       | 4                       | 0   | 200                     | 0                                 |
|   | Application Size Fee (37 CFR 1.100(a))   |  |                             |                         |   |                         |                                   |
|   | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.100(a))   |  |                             |                         |   |                         |                                   |
|   |  |  | TOTAL                       | 180                     |   | TOTAL                   | 340                               |
|   |  |  | TOTAL ADD'L FEE             |                         |   | TOTAL ADD'L FEE         |                                   |
| AMENDMENT<br><b>7-106</b>   | CLAIMS REMAINING AFTER AMENDMENT<br>(Column 1)   | HIGHEST NUMBER PREVIOUSLY PAID FOR<br>(Column 2) | PRESENT EXTRA<br>(Column 3) | RATE (\$)<br>(Column 4) | ADDITIONAL FEE (\$)<br>(Column 5)             | RATE (\$)<br>(Column 6) | ADDITIONAL FEE (\$)<br>(Column 7) |
|   | Total (37 CFR 1.100(a))  |  | Minus                       |                         |   |                         |                                   |
|   | Independent (37 CFR 1.100(a))  |  | Minus                       |                         |   |                         |                                   |
|   | Application Size Fee (37 CFR 1.100(a))   |  |                             |                         |   |                         |                                   |
|   | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.100(a))   |  |                             |                         |   |                         |                                   |
|   |  |  | TOTAL                       |                         |   | TOTAL                   |                                   |
|   |  |  | TOTAL ADD'L FEE             |                         |   | TOTAL ADD'L FEE         |                                   |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
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This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the account of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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4/6

**Hinckley, Allen & Snyder LLP***Attorneys At Law*43 NORTH MAIN STREET □ CONCORD, NEW HAMPSHIRE 03301  
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NUMBER: 571-272-6500

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PAGE 1/6 \* RCVD AT 4/1/2006 6:24:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-2/21 \* DNIS:2736500 \* CSID:603 434 8361 \* DURATION (mm:ss):03:28

1/6

5/13

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |                         |
|---|-------------------------|
| Applicants: Fletcher et al  |                         |
| Application No.: 10/625,789   | Group Art Unit: 2876    |
| Filed: 7/23/2003  | Examiner: Lee, Seung H. |
| Title: Methods and Apparatus for Counting and Positioning Using Resonant Tags |                         |
| Attorney Docket No.: 056754/0124941   |                         |

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed June 30, 2005, the Applicants submit the following:

Preliminary Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

08/05/2005 SSITHIB1 00000009 502834 10625789  
01 FC:1202 100.00 DA

- 1 -

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Adjustment date: 04/26/2006 SDIRETA1  
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